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**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA**

ANIBAL RODRIGUEZ, SAL CATALDO, JULIAN SANTIAGO, and SUSAN LYNN HARVEY, *al.* individually and on behalf of all others similarly situated,

Plaintiffs,

vs.

GOOGLE LLC,

Defendant.

Case No. 3:20-CV-04688 RS

**JOINT STIPULATION AND  
[PROPOSED] ORDER FOR OMNIBUS  
MOTION TO SEAL MOTION TO  
EXCLUDE SUNDAR PICHAI FROM  
TESTIFYING AT TRIAL BRIEFING**

Date: May 15, 2025

Time: 1:30 p.m.

Ctrm: 3 - 17th Floor

Judge: Hon. Richard Seeborg

Action filed: July 14, 2020

Trial Date: August 18, 2025

1 Pursuant to Civil Local Rules 6-2 and 7-12, Plaintiffs Anibal Rodriguez, et al. (“Plaintiffs”)  
2 and Defendant Google LLC (“Google”), collectively referred to as the “Parties,” hereby enter into  
3 this joint stipulation.

4 WHEREAS, on January 9, 2025, the Court entered a Case Management Scheduling Order  
5 setting a deadline of April 3, 2024 for the Parties to file any *Daubert* motions, and referring to  
6 Magistrate Judge Tse Google’s expected motion to exclude Sundar Pichai from testifying at trial  
7 and setting a deadline of April 3, 2025;

8 WHEREAS, on April 3, 2025, Plaintiffs filed their Motion to Exclude Certain Opinions and  
9 Testimony of Google’s Experts Donna Hoffman, John Black, and Christopher Knittel (Dkt. 473)  
10 and an Administrative Motion to Consider Whether Another Party’s Material Should Be Sealed  
11 (Dkt. 470);

12 WHEREAS, on April 3, 2025, Google filed its Motion to Exclude Sundar Pichai from  
13 Testifying at Trial (Dkt. 471) and set a hearing date of May 9, 2025 at 2 p.m. PT;

14 WHEREAS, on April 10, 2025 the Court So Ordered the Parties’ joint stipulation  
15 requesting that the Parties be allowed to file an omnibus motion to seal material related to the  
16 *Daubert* briefing to be due on May 1, 2025 and any response to be due on May 5, 2025;

17 WHEREAS, on April 17, 2025, Plaintiffs filed their Opposition to Motion to Exclude  
18 Sundar Pichai from Testifying at Trial (Dkt. 479) along with 44 exhibits, and an Administrative  
19 Motion to Consider Whether Another Party’s Material Should Be Sealed (Dkt. 478);

20 WHEREAS, pursuant to Civil Local Rule 79-5, Google would be required to file a  
21 statement in support of maintaining under seal Google’s confidential material filed in connection  
22 with Plaintiffs’ Opposition to Motion to Exclude Sundar Pichai from Testifying at Trial (Dkt. 479)  
23 no later than April 24, 2025;

24 WHEREAS, pursuant to Civil Local Rule 7-3, Google’s deadline to file its reply brief in  
25 support of its Motion to Exclude Sundar Pichai from Testifying at Trial is April 24, 2025 and the  
26 Parties’ deadline to file its reply briefs in support of *Daubert* motions is May 1, 2025;

27 WHEREAS, on April 18, 2025 the Parties agreed that Google could extend its time to  
28 respond to Plaintiffs’ Administrative Motion to Consider Whether Another Party’s Material

Should Be Sealed (Dkt. 478) to May 1, 2025, the Parties' existing deadline to file their reply briefs in support of *Daubert* motions and their omnibus motion to seal material in support of same;

WHEREAS, Google represents that its reply brief is likely to rely on some of the same confidential material attached to Plaintiffs' opposition and the Parties agree that efficiencies would be gained by presenting evidentiary support for sealing all materials as part of one motion. The Parties hereby propose that the Court allow the Parties to file one omnibus motion to seal the material filed with Plaintiffs' Administrative Motion to Consider Whether Another Party's Material Should Be Sealed filed (Dkt. 478) and Plaintiffs' Administrative Motion to Consider Whether Another Party's Material Should Be Sealed (Dkt. 470);

WHEREAS, in light of the forthcoming omnibus motion, Google would file public versions of briefing and exhibits in connection with the Opposition to Motion to Exclude Sundar Pichai from Testifying at Trial filed on April 17, 2025 and reply to be filed on April 24, 2025. The Parties would also submit sealed, unredacted materials to the Court and opposing counsel by email at the time of the filing. On May 1, 2025, the Parties would file an omnibus motion to seal material filed in connection with Plaintiffs' Opposition to Google's Motion to Exclude Sundar Pichai from Testifying at Trial (Dkt. 479) sought to be sealed in the form contemplated by Civil Local Rule 79-5(e) and Plaintiffs' Motion to Exclude Certain Opinions and Testimony of Google's Experts Donna Hoffman, John Black, and Christopher Knittel (Dkt. 473) per the Court's Order for Omnibus Motion to Seal *Daubert* Briefing (Dkt. 477);

WHEREAS, a party seeking to seal material may choose to file a less-redacted or public version of that document prior to May 1, 2025;

WHEREAS, the omnibus motion would follow the procedures outlined in Civil Local Rules 79-5(b)-(f) and on May 1, 2025 the Parties would file an administrative motion to seal, evidentiary support, and a proposed order, accompanied by redacted versions of all material they seek to seal (to the extent not previously filed), and under seal versions of the same, highlighting the portions for which sealing is sought. Any response would be due by May 5, 2025, consistent with Local Rule 79-5(f)(4);

1 WHEREAS, this omnibus motion would obviate the need for Google to respond to  
2 Plaintiff's Administrative Motion to Consider Whether Another Party's Material Should Be  
3 Sealed (Dkt. 478) on April 24, 2025 per Civil Local Rule 79-5;

4 WHEREAS, this request for an omnibus motion to seal is made to streamline this Court's  
5 review of the extensive materials already attached to Plaintiffs' Opposition to Google's Motion to  
6 Exclude Sundar Pichai from Testifying at Trial (Dkt. 479) and that will likely be referenced in the  
7 forthcoming filings in connection with reply briefing, and to allow for additional time for the  
8 Parties to secure the appropriate declarants and evidentiary support to seal all of these materials;

9 WHEREAS, the granting of the Parties' request for an omnibus motion to seal would not  
10 affect the case schedule (Dkt. 446);

11 NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the  
12 Parties to this action, and pursuant to Civil Local Rules 6-2 and 7-12, that the Parties shall file an  
13 omnibus motion to seal all material filed under seal by May 1, 2025 and any response by May 5,  
14 2025.

15 A Proposed Order is submitted concurrently herewith.

16 IT IS SO STIPULATED.

17 DATED: April 22, 2025

18 By: /s/ Ryan McGee  
Ryan McGee

19 *Attorneys for Plaintiff*

20  
21 DATED: April 22, 2025

WILLKIE FARR & GALLAGHER, LLP

22  
23 By: /s/ Benedict Y. Hur  
Benedict Y. Hur

24 *Attorneys for Google*

**FILER'S ATTESTATION**

Pursuant to Civil Local Rule 5.1, I attest that all signatories listed, and on whose behalf this filing is submitted, concur in the filing's content and have authorized this filing.

DATED: April 22, 2025

WILLKIE FARR & GALLAGHER, LLP

By: /s/ Benedict Y. Hur  
Benedict Y. Hur

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**[PROPOSED] ORDER FOR OMNIBUS MOTION TO SEAL MOTION TO EXCLUDE SUNDAR PICHAI FROM TESTIFYING AT TRIAL BRIEFING**

Date: May 15, 2025

Time: 1:30 p.m.

Ctrm: 3 - 17th Floor

Judge: Hon. Richard Seeborg

Action filed: July 14, 2020

Trial Date: August 18, 2025

Pursuant to stipulation of the Parties, the Court hereby ORDERS as follows:

The briefing schedule on the Parties' motion to seal all material filed under seal in connection with the Plaintiffs' Motion to Exclude Certain Opinions and Testimony of Google's Experts Donna Hoffman, John Black, and Christopher Knittel (Dkt. 473) and Opposition to Motion to Exclude Sundar Pichai from Testifying at Trial (Dkt. 479) shall be as follows:

Event	Deadline
Omnibus Motion to Seal all material filed under seal in connection with the Plaintiffs' Motion to Exclude Certain Opinions and Testimony of Google's Experts Donna Hoffman, John Black, and Christopher Knittel (Dkt. 473) and Opposition to Motion to Exclude Sundar Pichai from Testifying at Trial (Dkt. 479)	May 1, 2025
Response to Motion to Seal	May 5, 2025

**IT IS SO ORDERED.**

Dated: \_\_\_\_\_

\_\_\_\_\_  
Honorable Richard Seeborg